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**U.S. Department of Commerce
No FEAR Act EEO Complaint Data
Bureau of the Census (including Decennial 2000 Complaint Data)**

This is an interim report of No FEAR ACT data. The report will be revised upon publication of a final rule by the Equal Employment Opportunity Commission (EEOC).

- [Interim EEOC Rule](#)
- [Information on the No FEAR Act](#)
- [No Fear Act Data on the EEOC website \(includes information on EEOC Hearing and Appeals processing\)](#)

Data last updated: October 30, 2004.

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1. Number of Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of complaints Pending at the Beginning of the FY	69	101	284	n/a	n/a	n/a	n/a	n/a
Number of complaints Filed in the FY	15	54	44	32	83	159	1295	234
Number of complaints Closed in the FY	101*	87	189	236	212	682	481	132

Number of complaints Pending any time in the FY	82	165	328	n/a	n/a	n/a	n/a	n/a
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* Includes database cleanup of cases designated "closeable."

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2. Number of Complainants

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of complainants who had a complaint pending	98	101	234	n/a	n/a	n/a	n/a	n/a
Number of complainants who filed a complaint	18	51	43	48	72	151	1217	216
Number of complainants who filed 2 or more complaints	0	3	1	3	8	8	22	18

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3. Bases of Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Race	7	13	27	28	37	98	499	104
Color	1	2	2	5	13	61	167	34
Religion	2	6	2	3	8	70	100	22
National Origin	3	8	3	3	9	62	120	31
Sex	2	13	13	17	34	55	422	88
Disability	4	14	25	18	20	90	247	54
Age	4	22	19	28	32	57	379	84
Reprisal	8	23	19	25	44	69	492	109
Equal Pay	0	1	0	0	0	0	2	0
Other	0	0	0	0	0	0	0	0
TOTALS	31	102	110	127	197	562	2428	526

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4 . Issues in Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Appointment/Hire	1	5	2	5	6	29	189	38
Assignment of Duties	3	10	7	5	6	15	105	24

Awards	1	2	6	2	4	6	8	4
Conversion to Full Time	0	0	0	0	0	1	0	0
Discipline: Demotion	1	0	4	0	1	2	54	5
Discipline: Reprimand	1	1	1	1	3	2	15	9
Discipline: Suspension	0	0	1	3	1	3	8	3
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	2	1	0	0	0	0
Duty Hours	0	0	1	1	0	0	3	0
Evaluation/Appraisal	2	1	1	4	5	5	5	17
Examination/Test	0	0	0	0	0	0	10	1
Harassment: Non-sexual	7	15	13	19	15	19	250	57
Harassment: Sexual	0	1	2	3	3	6	50	11
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	1	1	0	1	8	3	7
Promotion/Non-selection	2	11	9	12	30	20	87	39
Reassignment: Requested	0	1	1	1	0	0	4	4
Reassignment: Directed	2	0	1	0	3	3	8	3
Reasonable Accommodation	3	7	2	4	4	4	27	6
Reinstatement	0	0	0	0	0	0	0	1
Retirement	0	0	1	0	1	0	0	1
Termination	6	9	4	6	10	38	659	96
Terms/Conditions of Employment	0	14	2	0	1	5	21	8
Time and Attendance	1	2	2	5	1	1	15	17
Training	2	1	3	0	2	5	19	10
Other	1	1	2	5	1	10	38	17
TOTALS	30	82	68	77	98	182	1578	378

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5. Complaints Pending by Status

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Investigation	16	18	43	n/a	n/a	n/a	n/a	n/a
Hearing	23	25	35	n/a	n/a	n/a	n/a	n/a
Final Agency Action	22	16	45	n/a	n/a	n/a	n/a	n/a
Appeal	12	19	25	n/a	n/a	n/a	n/a	n/a

Accept/Dismiss	7	10	8	n/a	n/a	n/a	n/a	n/a
TOTALS	82	88	156	n/a	n/a	n/a	n/a	n/a

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6. Average Days Processing Time of Pending Complaints from Date Formal Complaint Filed

	FY 2006 2nd Q.
Investigation: Hearing Requested	179
Investigation: No Hearing	179 * includes 4 cases amended at least once
Final Agency Action: With Hearing	0
Final Agency Action: Without Hearing	1140

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7. Investigations Pending Over 180 Days

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Investigations Pending over 180 days	7*	2	29	n/a	n/a	n/a	n/a	n/a

* includes 4 cases amended at least once. Amendments extend the time for investigation for 180 days from the date of amendment, or for 360 days from the date the original complaint was filed, whichever comes first. 29 CFR §1614.106(d)

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8. Complaints Dismissed

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Complaints Dismissed	2	14	17	9	25	418	290	77
Average Days Pending Prior to Dismissal	96	103	117	220	207	194	105	85

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9. Findings of Discrimination as a Percentage of Total Complaints Pending Current to 2003

	FY 2006 Number	FY 2006 Percent	FY 2005 Number	FY 2005 Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
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Findings of Discrimination With Hearing	0	0	1	0	1	>1	0	0
Findings of Discrimination Without Hearing	0	0	0	0	0	0	1	>1
TOTALS	0	0	1	>1	1	>1	1	>1

9. Findings of Discrimination as a Percentage of Total Complaints Pending , 1999-2002

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Findings of Discrimination With Hearing	1	>1	0	0	0	0	0	0
Findings of Discrimination Without Hearing	0	0	0	0	0	0	5	>1
TOTALS	1	>1	0	0	0	0	5	>1

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10. Findings of Discrimination By Basis Current to 2003

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Race	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	1	>1
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	1	>1	1	>1	0	0
Disability	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0
Reprisal	0	0	1	>1	1	>1	1	>1
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	2	>1	2	>1

10. Findings of Discrimination By Basis 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Race	0	0	0	0	0	0	0	0

Color	0	0	0	0	0	0	0	0
Religion	1	>1	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	5	>1
Reprisal	0	0	0	0	0	0	0	0
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	1	>1	0	0	0	0	5	>1

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11 . Findings of Discrimination by Issue Current to 2003

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Appointment/Hire	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	1	>1	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	1	>1
Harassment: Sexual	0	0	1	>1	1	>1	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	1	>1	1	>1	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0

Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	3	3	2	>1	1	>1

11 . Findings of Discrimination by Issue 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Appointment/Hire	1	>1	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	5	>1
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0

Retirement	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	1	>1	0	0	0	0	5	>1

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Notes about the data:

1. Data for dismissals includes complaints dismissed prior to investigation and complaints dismissed in later proceedings.

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